

### **Amendments to the Claims**

Claim 1 (**Currently Amended**) A recording medium for storing digital data to be read/updated by a data recording and reproducing device, said digital data stored on said recording medium comprising:

a plurality of content data reproducible by the data recording and reproducing device; and reproduction control information used to determine said plurality of content data to be reproduced;

wherein said reproduction control information includes reproduction sequence information which determines a reproduction order of said plurality of content data while the data recording and reproducing device performs normal reproduction, and reproduction frequency parameters each of which determines a ~~reproduction~~ frequency of play of said plurality of content data while the data recording and reproducing device performs special reproduction;

wherein said reproduction frequency parameters include a reproduction frequency direct factor, which is directly used as a ~~reproduction~~ frequency of play at special reproduction, and a reproduction frequency indirect factor which is used to indirectly determine a ~~reproduction~~ frequency of play at special reproduction; and

wherein said reproduction frequency indirect factor is able to be dynamically and automatically updated at a time of reproduction or recording of said content data.

Claim 2 (**Previously Presented**) The recording medium according to claim 1, wherein: said reproduction frequency parameters are updated according to information relevant to said plurality of content data selected at normal reproduction.

Claim 3 (**Previously Presented**) The recording medium according to claim 1, wherein: said reproduction frequency indirect factor of said content data includes information about a date and time of when said plurality of content data was recorded.

**Claim 4 (Previously Presented)** The recording medium according to claim 1, wherein:  
said reproduction frequency indirect factor of said content data includes information about  
a date and time of when said plurality of content data was last reproduced.

**Claim 5 (Previously Presented)** The recording medium according to claim 1, wherein:  
said reproduction frequency indirect factor of said content data includes information about  
a number of times said plurality of content data has been reproduced.

**Claim 6 (Previously Presented)** A data recording and reproducing device for reproducing  
digital data to be read/updated in the recording medium of claim 1, said device comprising:  
a determination part operable to read the reproduction control information from the recording  
medium, and generate information used to determine which of the plurality of content data is to be  
reproduced based on one of the reproduction sequence information and the reproduction frequency  
parameters included in the read reproduction control information;  
a selection part operable to select which of the plurality of content data is to be reproduced  
based on the information generated by said determination part; and  
a reproduction part operable to read the plurality of content data selected by said selection  
part from the recording medium for reproduction.

**Claim 7 (Previously Presented)** The data recording and reproducing device according to  
claim 6, wherein:  
said determination part is operable to generate, based on the read reproduction control  
information, reproduction frequency parameters which indicate a reproduction frequency while the  
plurality of content data is randomly reproduced; and  
said selection part is operable to randomly select which of the plurality of content data is to  
be reproduced in such a manner as to satisfy the reproduction frequency indicated by the reproduction  
frequency parameters.

Claim 8 (**Previously Presented**) The data recording and reproducing device according to claim 7, wherein:

said selection part comprises:

a random number generator operable to generate a random number; and  
a random number table operable to interrelate the random number with the plurality of content data, and operable to be used to determine which of the plurality of content data is to be reproduced.

Claim 9 (**Previously Presented**) The data recording and reproducing device according to claim 6, wherein:

at normal reproduction, said determination part is operable to determine a reproduction order of the plurality of content data based on the reproduction sequence information in the read reproduction control information; and

said selection part is operable to select the plurality of content data for reproduction in the reproduction order determined by said determination part.

Claim 10 (**Original**) The data recording and reproducing device according to claim 6, further comprising an update part operable to update the reproduction control information recorded on the recording medium by writing new reproduction control information thereon.

Claim 11 (**Previously Presented**) The data recording and reproducing device according to claim 10, wherein:

said update part is operable to update the reproduction control information recorded on the recording medium based on information relevant to the plurality of content data selected at normal reproduction.

Claim 12 (**Currently Amended**) The data recording and reproducing device according to claim 6, wherein:

said determination part includes a timer operable to generate time information, and ~~determine~~ determines a reproduction frequency for each of the plurality of content data by using the time information generated by said timer.

**Claim 13 (Currently Amended)** A reproduction control information collection system in which an information provider collects reproduction control information, indicative of a ~~user's~~ preference of content data of a user, for sale to a content merchandiser, and rewards the user with a bonus for the reproduction control information, said system comprising:

a user system provided on a user side;

an information provider system provided on an information provider side; and

a content merchandiser system provided on a content merchandiser side, wherein:

said user system, said information provider system, and said content merchandiser system are interconnected with one another via a network for information exchange;

said user system is operable to transmit the ~~user~~ reproduction control information indicative of the ~~user's~~ preference of content data of the user over the network;

said information provider system is operable to receive the ~~user~~ reproduction control information which came from said user system, and transmit, over the network, the ~~user's~~ reproduction control information together with an ID uniquely identifying the user to said content merchandiser system;

in response to the reproduction control information and the ID provided by said information provider system, said content merchandiser system is operable to issue a password uniquely corresponding to the ID, and transmit the password to said information provider system over the network;

said information provider system is operable to transmit the password and the ID provided by said content merchandiser system to said user system over the network;

said user system is operable to present the ID and the password provided by said information provider system to said content merchandiser system over the network, and ask for the bonus; and

said content merchandiser system is operable to identify the user with the presented ID and password, and provide the bonus to the identified user.

**Claim 14 (Currently Amended)** The reproduction control information collection system according to claim 13, wherein:

said user system comprises:

a communications part operable to communicate with said information provider system and said content merchandiser system via the network; and

a reproduction control information management part operable to manage the user reproduction control information for transmission to said information provider system via said communications part with a predetermined timing;

said information provider system comprises:

a communications part operable to communicate with said user system and said content merchandiser system via the network;

a user information management part operable to manage information about the user in addition to the ID; and

a reproduction control information database operable to interrelate the reproduction control information, the ID, and any corresponding content with one another for storage; and said content merchandiser system comprises:

a communications part operable to communicate with said information provider system and said user system via the network;

a bonus offer part operable to provide the bonus to said user system via the communications part; and

a password management part operable to issue and manage the password, and authenticate a correspondence between the ID and the password presented by said user system.

**Claim 15 (Currently Amended)** A recording method comprising:

storing digital data in a recording medium to be read/updated by a data recording and reproducing device;

wherein the digital data stored in the recording medium in said storing comprises:

a plurality of content data reproducible by the data recording and reproducing device;  
and  
reproduction control information used to determine the plurality of content data to be reproduced;

wherein the reproduction control information includes reproduction sequence information which determines a reproduction order of the plurality of content data while the data recording and reproducing device performs normal reproduction, and reproduction frequency parameters each of which determines a ~~reproduction~~ frequency of play of the plurality of content data while the data recording and reproducing device performs special reproduction;

wherein the reproduction frequency parameters include a reproduction frequency direct factor, which is directly used as a ~~reproduction~~ frequency of play at special reproduction, and a reproduction frequency indirect factor which is used to indirectly determine a ~~reproduction~~ frequency of play at special reproduction; and

wherein the reproduction frequency indirect factor is able to be dynamically and automatically updated at a time of reproduction or recording of the content data.

**Claim 16 (Previously Presented)** The recording method according to claim 15, further comprising:

updating the reproduction frequency parameters according to information relevant to the plurality of content data selected at normal reproduction.

**Claim 17 (Previously Presented)** A recording method according to claim 15, further comprising:

reading the reproduction control information from the recording medium, and generating information used to determine which of the plurality of content data is to be reproduced based on one of the reproduction sequence information and the reproduction frequency parameters included in the read reproduction control information;

selecting which of the plurality of content data is to be reproduced based on the information generated by said reading and generating; and

reading the plurality of content data selected by said selecting from the recording medium for reproduction.

**Claim 18 (Previously Presented)** The recording method according to claim 17, further comprising:

generating, based on the read reproduction control information, reproduction frequency parameters which indicate a reproduction frequency while the plurality of content data is randomly reproduced; and

randomly selecting which of the plurality of content data is to be reproduced in such a manner as to satisfy the reproduction frequency indicated by the reproduction frequency parameters.

**Claim 19 (Previously Presented)** The recording method according to claim 18, further comprising:

generating a random number; and

interrelating the random number with the plurality of content data using a random number table, and using the random number table to determine which of the plurality of content data is to be reproduced.

**Claim 20 (Previously Presented)** The recording method according to claim 17, further comprising:

at normal reproduction, determining a reproduction order of the plurality of content data based on the reproduction sequence information in the read reproduction control information; and

selecting the plurality of content data for reproduction in the reproduction order determined by said determining.

Claim 21 (**Previously Presented**) The recording method according to claim 17, further comprising updating the reproduction control information recorded on the recording medium by writing new reproduction control information thereon.

Claim 22 (**Previously Presented**) The recording method according to claim 21, further comprising updating the reproduction control information recorded on the recording medium based on information relevant to the plurality of content data selected at normal reproduction.

Claim 23 (**Previously Presented**) The recording method according to claim 17, further comprising generating time information, and determining a reproduction frequency for each of the plurality of content data by using the generated time information.

Claim 24 (**Currently Amended**) A reproduction control information collection method in which an information provider collects reproduction control information, indicative of a ~~user's~~ preference of content data of a user, for sale to a content merchandiser, and rewards the user with a bonus for the reproduction control information, said method comprising:

- providing a user system on a user side;
- providing an information provider system on an information provider side;
- providing a content merchandiser system on the content merchandiser side;
- interconnecting the user system, the information provider system, and the content merchandiser system with one another via a network for information exchange;
- transmitting, using the user system, the ~~user~~ reproduction control information indicative of the ~~user's~~ preference of content data of the user over the network;
- receiving, using the information provider system, the ~~user~~ reproduction control information which came from the user system, and transmitting, over the network, the ~~user~~ reproduction control information together with an ID uniquely identifying the user to the content merchandiser system;
- in response to the reproduction control information and the ID provided by the information provider system, issuing, using the content merchandiser system, a password uniquely corresponding to the ID, and transmitting the password to the information provider system over the network;



transmitting, using the information provider system, the password and the ID provided by the content merchandiser system to the user system over the network;

presenting, using the user system, the ID and the password provided by the information provider system to the content merchandiser system over the network, and asking for the bonus; and

identifying, using the content merchandiser system, the user with the presented ID and password, and providing the bonus to the identified user.